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ABSTRACT

This document contains 17 conference presentations: (1) "Results of an Evaluation of Five Access Enforcement Programs" (Jessica Pearson); (2) "Conflict and Children's Post-Divorce Adjustment: A Closer Look" (Joan B. Kelly); (3) "What's Normal' for Stepfamilies?" (Claire Berman); (4) "How Psychiatry Promotes Child Abuse in Child Custody Litigation" (Lee Coleman); (5) "Recognizing Child Abuse: The Need for a More Balanced Approach" (Douglas Bresharov); (6) "Issues Affecting Access of Children to Grandparents" (Ethel Dunn); (7) "How To Make Custody Determinations Less Adversarial--Perspectives from the Courtroom" (Lawrence W. Kaplan); (8) "Programs of the Aring Institute for Families of Divorce and Remarriage" (Sally Brush); (9) "How To Handle Child Abuse Allegations" (Richard Austin); (10) "What Non-Custodial Mothers and Non-Custodial Fathers Have in Common" (Angie Mease); (11) "How To Obtain Financial Child Support Data through Filing of Freedom of Information Act (FOIA) Requests" (John Siegmund); (12) "Let's Discuss Your Children...Are They Emotionally Healthy after Divorce?" (Carla A. Goodwin); (13) "Enabling Children of Divorce to Win" (Lita Linzer Schwartz); (14) "Play Therapy for Adults: Healing the Child Within" (June Werlwas Hutchinson); (15) "A Brief History of Prevailing Child Support Doctrine" (Roger Gay); (16) "Congressional Update on Access (Visitation) and Financial Child Support Policies" (Rich Hobbie and Ron Haskins); (17) "Working with the Media and State Legislatures" (Eric Anderson). (PM)

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Presentations at NCCR's Sixth National Conference

(Submitted by February 17, 1992)

"The Best Parent is Both Parents"

March 19-22, 1992

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A Research Perspective

How to Handle Child Abuse Allegations

by
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With A Clinical Perspective by Richard Austin, Ph.D.

Summary: Handling child abuse allegations implies multi-disciplinary knowledge. One needs to know rates and types of child abuse and types of true and false allegations. For both true and false, substantiated and unsubstantiated, allegations there are legal, physical, emotional, social, economic and other ramifications that are important issues to be addressed. A brief history of these in the United States research literature is given. Particular attention is given to predictors of valid or invalid allegations in the community, the person making the outcry of abuse, the alleged abuser, and the evaluation of the incident. Research methodology and results for evaluating predictors of serious abuse are illustrated with results from a San Antonio study of 1,884 alleged sexual abuse cases from the Bexar County Texas medical clinic which evaluates ninety-five percent of the cases in the county. Risk assessment models for abuse of children have two types of errors. Falsely saying someone is an abuser and falsely saying the child has not been abused and the rate of each type of error needs to be studied. The consequences for the child, their family, and the alleged abuser need to be considered for each type of error when developing risk assessment and investigation models for alleged child abuse.

1992 NCCR program package addendum.

Welcome from David L. Levy, Esquire President, NCCR

Greetings to attendees at NCCR's Sixth National conference, the theme of which is "The Best Parent is Both Parents."

In an editorial in the Washington Post on November 29, 1991, NCCR was quoted as saying that many of the things affecting our cities and families can be remedied at little or no cost, if handled correctly.

I would like to expand on that. Clearly, poverty, joblessness, family dysfunction, urban violence, and many other things that have worsened over the years can, if approached in the traditional way, require a very high corrective price tag.

But if citizen participation can be maximized, and if we pass the kind of laws that don't cost much money (yes, such laws exist), the financial toll can be kept to a minimum while inducing the maximum amount of positive change.

A fresh look at foster care, mentors, parenting courses, and welfare reform, can figure rapidly and cheaply, in the equation.

The foster care case the District of Columbia lost in court in 1991 is an example of how families can be strengthened. Rather than continuing to house children indefinitely, which the court told the District it can not do, one low-cost approach might be to encourage other family members—an aunt, an uncle, an older brother, a cousin—to accept responsibility for the child.

Kinship Care

New York and other states are aggressively promoting this sort of "kinship care" as a substitute for traditional third party foster care.

The benefits of kinship care are that:

• children stay in a family environment, involving fewer prerequisites, searching and administrative problems.

• It is often easier to find a placement because we have increased the pool of people who want to take the child into their home.

A foster-care type payment, and access to social service, including medical and psychiatric assistance available to other citizens in similar economic circumstances, might sometimes be necessary. But overall, the subsidization should be less because family members might be more willing to pay part or all of the costs for a child than would an unrelated third party.

Of course, a close look would have to be made of any situation before leaving the child with a grandparent, aunt, uncle, or older brother.

There is no question that dysfunction often affects entire families, and some families might not have even one responsible family member—but we increase our chances for placement if we open our eyes to see willing family members.

A mentor program, by which adults are paired with vulnerable youth, can help young people acquire values and coping techniques.

Parenting education is another way to encourage strong families. Not just sex education, but information on relationships, baby cuddling, child development, and the responsibilities of parents. If high schools have time to teach driver ed and computer know-how, they can teach parenting education.

Welfare Reform

Welfare reform is also important. Under the new Wisconsin plan, the state will increase monthly AFDC benefits of a teenage mother from $447 to $512 if she marries the father of her child. Under the new law, if the married couple has a second child while on welfare, they will receive only half of the current increase for an additional child and will receive no additional benefits for subsequent babies.

Although some opponents believe Wisconsin's approach might encourage shotgun marriages, the truth is that current welfare policies drive families apart, because only by splitting into fragments will they get any help at all. For the family that needs a little help, perhaps $50 or $100 a month—the door is closed, but if they split apart into dysfunctional fractions, then the benefits pour in. What we need in welfare policy is an acknowledgement that two-parent families work best and they should be encouraged rather than discouraged.

For parents who are unwed or divorced, stronger joint custody, access (visitation) and mediation laws are also needed. Especially as the Census Bureau has shown that parents with joint custody pay 90.2% of their financial support, parents with access (visitation) 79.1% of their support, and parents with neither joint custody nor visitation pay only 44.5% of their support.

The children in trouble in the streets and in our schools need more parenting, not less parenting. Much must be done to encourage stronger families, and low cost programs that work.

Results of an Evaluation of Five Access Enforcement Programs

Jessica Pearson, Ph.D.,
Director, Center for Policy Research Denver, CO

This presentation was developed under a grant from the State Justice Institute. Points of view expressed herein are those of the author and do not necessarily represent the official position or policies of the State Justice Institute.

The 1984 Child Support Enforcement Amendments and the Family Support Act of 1988 have vastly increased the attention being paid to the issue of child support and the enhancement of the financial well-being of children. Less attention, however, has been directed toward the issue of visitation, which many people see as closely connected to support issues. The increasingly aggressive enforcement of child support obligations has not been matched by an equally aggressive effort to enforce visitation rights.

In response, Congress urged state and local governments to "focus on the vital issues of child support, child custody (and) visitation rights" (P.L. No. 98-373, 1984), and authorized and appropriated funds for state demonstration projects to "...develop, improve or expand activities designed to increase compliance with child access provisions of court orders" (P.L. 100-485, 1988). To date, seven demonstrations have been initiated. Results from these access demonstration projects will be reported in a preliminary fashion to Congress in June, 1992, and more definitively in June, 1995.

This presentation deals with five programs in operation throughout the United States aimed at enhancing access and ensuring that it occurs as ordered by the court. The programs were selected after surveying members of the Association of Family and Conciliation Courts, and interdisciplinary organization for professionals interested in family court reform regarding the existence and nature of enforcement efforts in various courts and agencies throughout the nation. The programs selected for in-depth study were as follows:

The **Visitation Intake Program** in Wayne County, Michigan, permits custodial and non-custodial parents with a court order to file a *pro se* complaint form alleging visitation denial. Upon filing, program personnel investigate the matter and attempt to resolve the problem in a variety of ways including: 1) utilizing telephone and personal conferences to educate parents and resolve disputes; 2) mediation interventions; 3) referrals for counseling and other services, including treatment for drug and alcohol problems; 4) civil contempt procedures; 5) documentation of visitation arrearages; and 6) show cause hearings conducted by hearing officers and judges. Among the remedies for visitation denial available under Michigan law are make-up visitation provisions.

The **Judicial Supervision Program** of Maricopa County is a court-based program established to comply with an Arizona statute requiring expedited procedures for petitions regarding alleged non-compliance with an existing visitation order. Upon filing of a request to enforce the terms of a custody or visitation order, usually by the non-custodial parent, a conference is set within seven days and the other parent is notified. The Conference officer attempts to help the parents resolve their problems; the officers may also evaluate the situation and make a recommendation to the court. Recommendations usually include a provision that compliance with the court order be monitored by program personnel for six months. The monitoring process typically involves telephone calls with each parent following each scheduled visitation episode. Parents may also be ordered to obtain services for supervised visitation and supervised exchanges, counseling and random drug tested.

The **Support and Visitation Enforcement Program** of Lee County, Florida is established to enable parents with visitation and/or child support disputes to participate in mediation interventions, pre-trial conferences and judicial hearings designed to identify and remedy both problems. It is the only program in the country which openly addresses both the access and child support issue in a single intervention.

Court Services offered in Wyandotte County, Kansas, include a mandated parent education program for divorcing parents with minor aged children and case management services for couples who have continuing problems with visitation. Designed to deal with "petty grievances" and to head off more serious parenting and communication blocks, case management may include telephone contacts with one or both parents, in person meetings, and recommendations to the court. The process may also lead to referrals for various services including mental health treatment and supervised visitation.

The **Pre-contemptors/Contempors Group** offered in the Los Angeles District Court is a mandated, educational program for those who are found in contempt of custody/visitation orders, are about to be found in contempt, or are engaging in behavior which produces continuing litigation due to noncompliance with previous court orders. The classes for groups of parents who fall into this category provide information about the law concerning custody and visitation, the effects of parental conflict and litigation behavior on children, the developmental needs of children, and techniques to improve communication and develop problem solving skills.

We used several different techniques to evaluate each of these programs. First, we reviewed program, court and child

support records for couples who utilized program services at each of the five sites in 1989. For each case, we extracted information on the demographic characteristics of the custodial and non-custodial parents who have access problems, the nature of the visitation dispute, the nature of relevant custody, visitation and child support orders, the status of child support payments, the nature of requested visitation enforcement services; the date and nature of each service rendered; the incidence of punitive actions; prior and subsequent complaint, relitigation and modification activity; and subsequent child support payment behaviors.

Next, we attempted to contact each parent and conduct an interview. The interviews elicited parental perceptions of: the adequacy and speed of service delivery, the degree to which the intervention addressed the true problems with visitation and the nature of those problems; the quality and regularity of visitation prior to and following the intervention; the extent to which problems have been resolved or persist; and the likelihood of litigation over visitation and/or support issues anticipated in the future. The last aspect of the research was to observe program interventions at each site and conduct semi-structured interviews with the full range of professionals who deal with divorced and never-married parents. At each location, interviews were conducted with: 1) domestic relations judges and court administrators; 2) child support enforcement agency administrators; 3) family law attorneys;

4) domestic relations court counselors, and 5) visitation enforcement program staff.

In all, we extracted program and court file information for 664 cases and conducted telephone interviews with 370 program participants. In the course of visiting each of the programs, we interviewed more than 50 professionals who have worked with the program or with families who have received program services.

Among the findings to be discussed are the following:

1. The critical role of child support problems and nonpayment behaviors in visitation enforcement cases, including explaining user reactions to the enforcement program and their effectiveness in resolving visitation problems.

2. The relative effectiveness of the programs in specifying visitation orders that call for "reasonable" visitation and in addressing problems that arise concerning the scheduling of visitation.

3. The importance of safety concerns in visitation enforcement cases and their credibility.

4. Parental desires for a forum in which support and visitation issues may be jointly considered.

5. Parental desires for additional program follow-through, including regular monitoring of proscribed visitation and support activity.

6. The need for affordable and flexible supervised visitation and supervised exchange visitation service in all communities.

Conflict and Children's Post-Divorce Adjustment: A Closer Look

Joan B. Kelly, Ph.D.

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In the search to understand the salient factors affecting children's adjustment after divorce, conflict between parents has been a focus of multiple studies. for two decades, we have seen evidence that high levels of parental conflict is associated with behavioral or adjustment problems, in both the married and post-divorce family (1,2). Children in low-conflict post-divorce environments were found to be better adjusted than children in high conflict married families (3). Continued high conflict between parents after divorce has significant but low correlations with more somatic and psychosomatic symptoms, and greater social and behavioral adjustment problems in children (4,5). These and similar findings have led to general acceptance of parental conflict as a primary predictor of negative outcomes for children, and have influenced custodial decision-making and policy in both contested and noncontested divorce cases.

More recent studies suggest that the relationship between child adjustment and parental conflict during and after divorce is not universal, simple nor particularly straightforward. Incorporating a broader number of important psychological and situational variables, and more sophisticated statistical analyses, theses studies are deserving of our attention.

It appears that rather than discord per se, it is the *manner* in which parental conflict is expressed that may affect children's adjustment. High interparental discord has been found to be related to the child's *feeling caught* in the middle, and this experience of feeling caught was related to adjustment (6). Feeling caught was assessed by the extent to which a parent asked a child to carry messages, asked intrusive questions about the other parent, created in the child a need to hide information or feelings about the other parent, and made the child feel caught. Adolescents were more depressed and anxious, and engaged in more deviant behaviors, the more caught they felt. But, high conflict did *not* cause more depression or deviant behavior, *unless* the

child felt caught up in it by one or both parents. While adolescents from high conflict families were more likely to feel caught than adolescents in disengaged or cooperative families, 40% of the adolescents whose parents had high discord scores were below the median on "feeling caught". These parents in high conflict refrained from those behaviors which caused the child to feel caught , and did not express their conflict in front of the children (6).

A second study found that when fathers used verbal attack styles in resolving conflict, young children had more behavioral problems and lower self-esteem in both married and divorced families. Mother's use of verbal attacks in attempts to resolve conflict with fathers resulted in more parallel, solitary (or withdrawn) play for their children. In divorced families, when mothers used negative dispute resolution styles, both mother-child and father-child relationships were poorer, compared to the families where mothers used compromise strategies (7).

Hostility as a Factor

One study of children between ages 7 and 11 found that post-divorce interparental hostility was not significantly related to child adjustment. However, several different measures of the psychological adjustment of the custodial mother (fathers were not studied) *were* predictive of adjustment in boys and girls (8). It should be noted that in the majority of divorce studies, the psychological adjustment of the parent studied (usually the mother) was neither measured nor reported.

Three additional studies found no *direct* significant effect of degree of conflict on children's adjustment after separation or divorce. Rather, the effects of conflict were either mediated through other behaviors of the parents, or depended upon the strategies used to resolve conflict, or were related to the extent to which parents expressed their conflicts directly with and through the children (6, 7, 9). Mothers reporting higher levels of marital conflict also tended to have more post-separation conflict with their spouses, were less warm and more rejecting with their children, and used their children more during the divorcing period for emotional support and for the expression of their conflict. These *indirect* effects of marital conflict influenced child adjustment as did the child's age, prior history of psychological problems, time with father, and social/environmental changes (9).

The import of these studies is that children *can* escape the negative consequences of parental conflict when the are not caught in it by their parents, when their parents avoid direct, aggressive expressions of their conflict in front of the child, or when they use compromise styles of conflict resolution. This data helps explain why in some studies there has not been a straight forward link between child adjustment and parental conflict. It also fits with my own clinical observations of those children whose parents continue to be in high conflict in the years after divorce, yet who have high self-esteem, function very well at school and socially, and feel well loved and nurtured by each parent. Despite their conflict, these parents love and provide excellent care within their respective households, and protect their children from much of their own difficulties by finding appropriate forums for expressing their anger and reaching resolution.

In assessing the potential impact of conflict on the child, for purposes of deciding the type of custody or access pattern, a competent analysis will go well beyond a simple measure of the level of post-divorce conflict. It is important to explore both the extent and manner in which the conflict is being expressed by each patent *separately* with his/her child, as well as that conflict that emerges when parent s meet with the child present. One should assess whether both or primarily one parent is engaged in initiating and sustaining the conflict. Those of us serving as mediators, evaluators, and special masters have noted a fair number of cases in which one parent is more angry and clearly more responsible for creating conflictual situations to which the other must respond. In such cases it is perhaps unfair to reflexively label the *couple* as in high conflict, rather than focus on the "troublemaker". Further, it is important to determine the extent to which the child is compromised by parental behaviors which enlist the child in the parent's conflict agenda. Because bitter, vengeful and chronic parental conflict is likely to be associated with significant psychological disturbance in at least one or both parents, this issue should also be assessed.

"First-Timers" vs. Chronic Litigators

The distinction should be made between "first-timers," i.e., recently separated, angry parents disputing access questions prior to final divorce, versus those families with a history of repeated, protracted, and intensely hostile post-divorce litigation over child-related matters. While some of the first-timers will undoubtedly become members of the special group of chronic litigators, a majority of these parents are neither vindictive nor particularly hostile, but seek to establish access patterns which could not be negotiated in mediation. Data suggests that their anger and conflict will diminish over time. Indeed, the levels of anger between spouses decrease significantly between the beginning of divorce and final divorce, and again in the two years post-divorce. Not only does conflict regarding children diminish over time, but cooperation increases slightly (10, 11).

Interpretations of several highly publicized research studies have led some parents, attorneys and judges to automatically discourage, reject, or deny joint custody patterns when interparental discord is high. The available data suggest the custody decision should not be guided by simplistic interpretations of complicated research, nor should one single piece of data or one single study be used for making such critical decision. Fortunately, divorce research is beginning to mirror the enormous complexity and diversity of family life. There is no more place for easy "one-liners" in custody

decision-making. The increasing body of sophisticated research information, combined with careful evaluation of each family's particular matrix of parental adjustment, parent-child relationship patterns, and children's developmental needs, can provide us with the basis for assisting each family to reach agreements that lead to the most productive outcome for children and parents.

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What's "Normal" for Stepfamilies?

Claire Berman

former president of the Stepfamily Association of America, and book author (Making it as a Stepparent A Hole in the Heart: Adult Children of Divorce Speak Out, What am I Doing in a Stepfamily?)

In the opening sentence of *Anna Karenina*, Leo Tolstoy declared, "All happy families are alike, but an unhappy family is unhappy in its own fashion". It's an oft-quoted line, but it doesn't stand up under examination.

For one thing, all families (even happy ones) are unique in how they function, in the ways in which family members manage to meet their own and one another's needs. For another, I have found that remarried families (who are likely to fall under the "unhappy families" classification at one time or another) are very much alike in many ways.

Looking at the family dynamics, at the special issues that stepfamilies confront, I have been struck by the fact that, in many respects, stepfamilies are more like other stepfamilies than they are like the nuclear, intact, neighbors who live next door. Yet stepfamilies continue to be judged—and to measure themselves—by the nuclear family yardstick, and to decide that they fall short.

Let's look at the picture in the United States. In 1990, the most recent year for which figures are available, 1,175,000 couples were divorced, and 1,045,750 children were involved in these divorces. When parents marry again (as is true for the majority of divorced men and women), a stepfamily is created. It is estimated that more than 1,300 stepfamilies are formed in this country every day. Clearly, the statistical portrait of American society includes a lot of stepfamilies. What must also be made clear is the fact that these families differ from nuclear families in significant ways.

We need to look at stepfamilies as uniquely challenged by certain issues and dynamics that do not confront members of first-wed families, and to understand that their need to confront certain stresses and strains is normal, predictable, par for the remarriage course.

First among these issues is the fact that the stepfamily is born of loss. Its creation follows upon either the death of a parent or the loss of the dream of a happily-ever-after family. Either can be devastating.

Other predictable consequences of forming a remarried family involve the special adjustments that must be made when one of the marriage partners becomes an "instant parent"—someone who takes on a spouse and a parenting role in a single wedding ceremony.

Money, too, is a specially complicated issue for most remarried households, where family finances are likely to depend on child support going out or coming in, where there may be inequities between the two families (mom's house, dad's house) in a child's life, or between stepsiblings living under the same roof.

Additionally, it is *normal* for stepfamilies to have to resolve rules and roles regarding discipline, to work out ways of managing visitation, to feel particular stress over the special times and occasions (children's birthdays, graduations, even weddings) that, in other families, occasion joy.

Understanding what is normal for stepfamilies does not make the families' problems go away. It does alter the atmosphere in which stepfamily members, and those who work with them, regard the challenges: not as devastating and insurmountable problems but as predictable stresses which are normal following remarriage, and which are capable of solution.

How Psychiatry Promotes Child Abuse in Child Custody Litigation

Lee Coleman, M.D.

child psychiatrist, Berkeley, California, and author (Reign of Error: Psychiatry, Authority and Law)

Our courts have come to rely on evaluations from mental health professionals in trying to make intelligent child custody decisions. Rarely questioned is whether these evluations assist a court or whether such evaluations actually interfere with indepth investigations based on factual evidence of parental behavior. Using child sexual abuse allegations to illustrate, it will be argued that this outcome, often amounting to child abuse perpetrated by the very professionals assigned to protect children, is the direct result of allowing psychiatry to train child custody investigators.

History of Child Sexual Abuse Accusations in Child Custody

The emergence of sexual abuse accusations in custody battles will be discussed, along with the assumption that child therapists have special techniques for helping a child tell the truth. With little thought, police and child protection agencies assumed that child therapists should be their role models.

This led to the crucial failure, still in evidence today, to recognize the basic incompatibility between investigation and therapy. Investigators seek to find the truth (has abuse occurred?), while therapists see themselves as "child oriented" (assume abuse).

The emergence of the "children never lie about sexual abuse" myth will be discussed, along the incredible harm such foolishness has done to children. The irony to be recognized is that the belief, perpetrated by "specialists" from mental health, and accepted uncritically by police and child protection agencies, that false allegations were impossible, was the very thing which *created* the current wave of false allegations.

How does this happen? Investigators trained to think like therapists (assume abuse because any other attitude is essentially anti-child) "know" that false allegations don't happen. It follows that a child may be asked leading and suggestive questions, urged to pretend with dolls, and rewarded for statements about sexual contact, with no danger of false statements. Non-abused children (so the reasoning goes) will never succumb to such techniques and make false allegations, while abused children need just such techniques to finally reveal their abuse.

The assumption that the tools of play therapy, (puppets, dolls, drawings), are appropriate as fact-finding devices (i.e. aids to the child's memory, or means to make it easier to express past trauma) will be critically examined and found wanting. Only the "experts" were capable to overlooking the obvious fact that children *play* with playthings, and their use in investigations is inherently unreliable.

When inherently unreliable tools (leading questions, play interviews) are coupled with bias on the part of investigators, the outcome is inevitable. False allegations, not just occasionally but regularly, were implicit in the current approach to child sexual abuse investigations, from the beginning.

The Example of Parents United

By way of illustration, the profound influence of *Parents United* programs will be discussed. Using their own program materials, as well as case examples from my own study, the profound harm to children by this program's careless confusion of therapy and investigation will be described. The need to root out the continuing and profound influence of such training programs will be discussed.

Child Protectors as Child Abusers

Case illustrations will demonstrate the profound abuse being perpetrated not only on innocent parents, but also on the children. The mechanism by which a child comes to believe in things which never happened, and comes to develop the same fears which real events can cause, as well as the impact of all this on previously healthy parental relationships will be discussed.

Overemphasis on psychopathology of accusing parents will be discussed. Far more important than parental pathology as a cause of false accusations is bias and poor methods on the part of the investigators.

Solutions

The usual prescription for "more training" will be examined. If the current problems are not the result of inadequate training, but *incorrect* training, then real solutions require a fundamental re-thinking of basic assumptions.

Police and child protection investigators must be *retrained*. First, the inherently anti-investigational stance urged on them by mental health professionals, and so readily accepted as standard practice, must be discarded.

Investigators must recognize that "erring on the side of the child" is an absurd oversimplification, and that false allegations undetected can harm a child as profoundly as real abuse undetected.

The primacy of police investigators, over therapists and child protective services, will be stressed, as will the need for documentation (via tape recording) of all child interviews.

Finally, the potentially confusing impact of premature or unjustified child therapy will be discussed. The kneejerk recommendation of therapy, before an allegation has been responsibly investigated, will be criticized, as will our current practice of using funds intended for victims of crimes.

Recognizing Child Abuse: The Need for a More Balanced Approach

Douglas Besharov, J.D., L.L. M.

Resident Scholar, The American Enterprise Institute, Washington, D.C.;
who was the first director (1975-79) of the U.S. National Center on Child Abuse and Neglect (NCCAN).

The following is excerpted with permission of Mr. Besharov from his book entitled "Recognizing Child Abuse: A Guide for the Concerned."

"MOM HELD IN CHILD'S SCALD DEATH"
New York, New York
"PAIR SENTENCED FOR CLOSETING GIRL, 8"
Princess Anne, Maryland
"2 GET 99 YEARS IN TOT'S TORTURE DEATH"
Athens, Tennessee
"STARVING GIRL FREED BY POLICE"
Long Beach, California

New stories daily remind us that children are brutally maltreated by their parents—the very persons who should be giving them love and protection. Children are beaten until their bodies no longer heal; they are scalded with boiling water; they are starved and so dehydrated that their skin shrivels around their fragile bones; they are sexually assaulted and forced to perform all sorts of perverted acts; and they are locked in closets or tied to bed posts for days on end. Abused and neglected children are in urgent need of protection—protection that can be provided only if individual citizens are willing to help.

Unfortunately, children are dying because they are not being reported to the authorities—and because the wrong children are being reported. Thus, efforts to encourage more complete reporting must be joined with efforts to reduce the harmfully high rate of inappropriate and unfounded reports. Otherwise, increasing the number of reports will only increase the number—and proportion—of children ineffectually and harmfully processed through the system.

One Million Victims

It is a personal tragedy when a parent—in a fit of uncontrolled fear, frustration, or rage—flings a child against the floor. But when multiplied by tens of thousands of similar situations in which parents seriously harm their children, such individual episodes become a social problem of the greatest magnitude.

Although all statisics concerning what happens in the privacy of the home must be approached with great care, we know that, each year, over one million children are abused or neglected by their parents. According to the National Study of the Incidence and Severity of Child Abuse and Neglect (conducted for the federal government in 1986), about 300,000 are physically abused, another 140,000 are sexually abused, and 700,000 are neglected or otherwise maltreated. Estimates vary, but it appears that at least 1,100 children die each year as a result of mailtreatment. This would make maltreatment the sixth largest cause of death for children under fourteen.

Children who live through years of assault, degradation, and neglect bear emotional scars that can last for years. We all pay the price of their suffering. Maltreated children often grow up to vent on their own children—and others—the violence and aggression their parents visited on them. Even when maltreated children do not become violent or socially destructive adults, they may have emotional deficits and learning problems which make them a continuing burden on community welfare, social service, and mental health systems.

Mandatory Reporting Laws

Adults who are attacked or otherwise wronged can go to the authorities for protection and redress of their grievances. But the victims of child abuse and neglect are usually too young or too frightened to obtain protection for themselves. Helpless children can be protected only if a concerned individual—like you—recognizes the danger and reports it to the proper authorities.

Reporting suspected abuse and neglect is an indispensable first step in protecting endangered children. Billy Smith (not his real name) might still be alive if any one of a number of people had called the authorities:

> Kansas City, Mo. (UPI) Police investigators said that they could hardly remember a case worse than Billy Smith's. Two- and three-inch strips of flesh had been torn from his face, arms, back, buttocks and stomach; a purple bruise covered his chest; blood soaked his shirt and pants by the time his stepfather brought him to the emergency room.
>
> Mr. Smith, twenty, was charged with second-degree murder and is being held on $500,000 bond. He signed a statement saying he hit Billy with his hand and belt because he had not learned his ABCs.
>
> Mrs. Smith, twenty-two, was charged with manslaughter by culpable negligence for her son's death. Her bond was set at $250,000.
>
> Those who knew Billy often heard his cries and those of his two-year-old half-sister coming from the

Chart 1

Reportable Child Maltreatment

Physical abuse — physical assaults (such as striking, kicking, biting, throwing, burning, or poisoning) that caused, or could have caused, serious physical injury to the child

Sexual abuse — vaginal, anal, or oral intercourse; vaginal or anal penetrations, and other forms of inappropriate touching or exhibitionism for sexual gratification

Sexual exploitation — using of a child in prostitution, pornography, or other sexually exploitative activities

Physical deprivation — failing to provide basic necessities (such as food, clothing, hygiene, and shelter) that caused, or over time would cause, serious physical injury, sickness, or disability

Medical neglect — failure to provide the medical, dental, or psychiatric care needed to prevent or treat serious physical or psychological injuries or illnesses

Physical endangerment — reckless behavior toward a child (such as leaving a young child alone or placing a child in a hazardous environment) which caused, or could have caused, serious physical injury

Abandonment — leaving a child alone or in the care of another under circumstances that suggest and intentional abdication of parental responsibility

Emotional abuse — physical or emotional assaults (such as torture and close confinement) which caused, or could have caused, serious psychological injury

Emotional neglect — (or "development deprivation") — failure to provide the emotional nurturing and physical and cognitive stimulation needed to prevent serious developmental deficits

Failure to treat a child's psychological problems — indifference to a child's severe emotional or behavioral problems or parental rejections of appropriate offers of help

Improper ethical guidance — grossly inappropriate parental conduct or lifestyles which pose a specific threat to a child's ethical development of behavior

Educational neglect — chronic failure to send a child to school

family's apartment. But they never thought, until too late, that he would die.

A String of "what if's" and "only if's" marred Billy's case.

- If neighbors had known about the twenty-four hour toll-free answering service in the state capital for reporting child abuse.
- If the children's grandmother had not been rebuffed by state welfare officials for three months while trying to gain custody of the two children.
- If Mr. A, the postman, who lived above the family, had been more persistent when he told Mr. Smith not to beat the children. "He told me it was his kid 'and I'll do what I want.' I didn't bother him after that."
- If the mother's sisters, knew that she was being severely beaten by her husband, had not been afraid of stirring up trouble by checking on the children.

Every citizen has a moral duty to report. Otherwise, how will the child protective agency know that the child needs help.

Under threat of criminal and civil penalties, all states now *require* reports from a wide array of professionals—including physicians, nurses, dentists, mental health care workers, and law enforcement personnel—to report suspected child abuse and neglect. About twenty states require all citizens to report, regardless of their professional status or relation to the child. And, of course, all states *allow* any person to report. Chart 1 lists the forms of reportable child abuse and neglect.

These reporting laws, and associated public awareness campaigns, have been strikingly effective. In 1963, about 150,000 children came to the attention of public authorities because of suspected abuse or neglect. By 1976, an estimated 669,000 children were reported annually. And, in 1989 about 2.4 million children were reported. That's more than fifteen time the number reported in 1963.

Many people ask whether this vastly increased reporting signals a rise in the incidence of child maltreatment. While some observers believe that deteriorating economic and social conditions have contributed to a rise in the level of abuse and neglect, there is no way to tell for sure. So many maltreated children previously went unreported that earlier reporting statistics do not provide a reliable baseline against which to make comparisons. However, one thing is clear. The great bulk of reports now received by child protective agencies would not have been made but for the passage of mandatory reporting laws and the media campaigns that accompanied them.

Child protective programs still have major problems, some of which are discussed in this book. Nevertheless, one must be impressed with the results of this twenty year effort to upgrade child protective programs. Specialized "child protective agencies" have been established to receive reports (usually *via* highly publicized hotlines) and then to investigate them. And treatment services for maltreated children and their parents have been expanded substantially.

As a result, many thousands of children have been saved from death and serious injury. The best estimate is that, over the past twenty years, child abuse and neglect deaths have fallen from over 3,000 a year (and perhaps as many as 5,000) to about 1,100 a year. In New York State, for example, within five years of the passage of a comprehensive reporting law which also created specialized investigative staffs, there was a 50 percent reduction in child fatalities, from about 200 a year to under 100. Similarly, Dr. Ruth and Henry Kempe, well known leaders in the field, report that: "In Denver, the number of hospitalized abused children who die from their injuries has dropped from 20 a year (between 1960 and 1975) to less than one a year."

Unreported Cases

Despite this progress, large numbers of obviously endangered children are still not reported to the authorities. According to the National Incidence Study, in 1986, professionals still failed to report half of the maltreated children *whom they saw*.

Professionals did not report almost 40 percent of the sexually abused children they say. Nearly 30 percent of fatal or serious physical abuse cases (defined as life-threatening or requiring professional treatment to prevent long-term impairment) were not reported. And almost 50 percent of moderate physical abuse cases (defined by bruises, depression, emotional distress or other symptoms lasting more than 48 hours) were not reported. The situation was even worse in neglect cases: about 70 percent of fatal or serious physical neglect cases were not reported and about three quarters of the moderate physical neglect cases were not reported.

This means that, in 1986, nearly 50,000 sexually abused children went unreported, about 60,000 children with observable physical injuries severe enough to require hospitalization were not reported, and almost 184,000 Children with moderate physical injuries were also not reported.

Non-reporting can be fatal to children. A study in Texas revealed that, during one three year period, over 40 percent of the approximately 270 children who died as a result of child maltreatment had not been reported to the authorities—even though they were being seen by a public or private agency (such as hospital) at the time of death or had been seen within the past year. Sometimes two or three children in the same family are killed before someone makes a report.

What can be done to encourage people to report endangered children? Although fear of getting involved continues to be a major problem, ignorance and misunderstanding about reporting procedures—and requirements—are the major obstacles to fuller reporting. A study of non-reporting among teachers, for example, blamed their "lack of knowledge for detecting symptoms of child abuse and neglect."

The tragic death of a young child, and the sensational publicity that follows, often leads to a temporary increase in reporting. But a young life is too high a price to pay for such a short-lived "improvement"." Communities must conduct

continuing educational and public awareness campaigns to achieve better reporting, and many do so. However, these efforts need much better focus. From the problem of non-reporting is now compounded by the problem of inappropriate reporting.

Unfounded Reports

At the same time that many seriously abused children go unreported, there is an equally serious problem that further undercuts efforts to prevent child maltreatment: The nation's child protective agencies are being inundated by "unfounded" reports. Although rules, procedures, and even terminology vary (some states use the phrase "unfounded," others "unsubstantiated" or "not indicated"), in essence, an "unfounded" report is one that is dismissed after an investigation finds insufficient evidence upon which to proceed.

The emotionally charged desire to "do something" about child abuse, fanned by repeated and often sensational media coverage has led to an understandable but counterproductive overreaction on the part of the professionals and citizens who report suspected child abuse. Depending on the community, as many as 65 percent of all reports are closed after an initial investigation reveals no evidence of maltreatment. This is in sharp contrast to 1975, when only about 35 percent of all reports were unfounded.

The determination that a report is unfounded can only be made after an unavoidably traumatic investigation that is, inherently, a breach of parental and family privacy. To determine whether a particular child is in danger, caseworkers must inquire into the most intimate personal and family matters. Often, it is necessary to question friends, relatives, and neighbors, as well as school teachers, day care personnel, doctors, clergymen, and others who know the family.

Inappropriate Reporting Endangers Abused Children

The flood of unfounded reports is overwhelming the limited resources of child protective agencies. For fear of missing even one abused child, workers perform extensive investigations of vague and apparently unsupported reports. Even when a home visit of an anonymous report turns up no evidence of maltreatment, workers usually interview neighbors, school teachers, and day personnel to make sure that the child is not abused. And, even repeated anonymous and unfounded reports do not prevent a further investigation. All this takes time.

As a result, children in real danger are getting lost in the press of inappropriate cases. Forced to allocate a substantial portion of their limited resources to unfounded reports, child protection agencies are less able to respond promptly and effectively when children are in serious danger. Some reports are left uninvestigated for a week and even two weeks after they are received. Investigations often miss key facts, as workers rush to clear cases, and dangerous home situations receive inadequate supervision, as workers must ignore pending cases as they investigate the new reports that daily arrive on their desks. Decision-making also suffers. With so many cases of insubstantial or unproven risk to children, caseworkers are desensitized to the obvious warning signals of immediate and serious danger.

Theses nationwide conditions help explain why from 25 to 50 percent of child abuse deaths involve children previously known to authorities. Tens of thousands of other children suffer serious injuries short of death while under child protective agency supervision.

Professionals and private citizens need to do a much better job identifying and reporting suspected child abuse. At the same time, they must guard against inappropriate reporting. Distinguishing between reportable situations and those that are not is difficult, but current high rates of simultaneously under-and overreporting are unfair to the children and parents involved, and they threaten to undo much of the progress that has been made in building child protective programs. A proper balance must be struck.

To call for more careful reporting of child abuse is not to be coldly indifferent to the plight of endangered children. Rather, it is to be realistic about the limits to our ability to operate child protective systems. If child protective agencies are to function effectively, they must be relieved of the heavy burden of unfounded reports.

Issues Affecting Access of Children to Grandparents

Ethel Dunn

Executive Director, National Task Force, Grandparents United for Children's Rights (GUCR), Madion, Wisconsin

A look at some recent statistics illustrate only too clearly that families, and particularly children, are in deep trouble today.

According to recent figures published by the Children's Defense Fund the number of children younger than six who will have mothers in the labor force in 1995 will be 14.6 million; those children will need costly day care or family child care to get by. Illicit drug use is on the rise but alcohol use is legal, more widespread and, therefore, more of a threat to our children's health. Violent crime and family poverty have exploded in the past quarter century and teen suicide is now the second leading cause of death among young white males.

In 1989, 25 percent of all poor families were headed by women. A total of 2.4 million children were reported abused or neglected in 1989 and according to the U.S. Public Health Service, 12 percent of all children younger than 18 suffered mental disorders in 1989. The health care statistics for children and the current number of homeless children, either runaways or throwaways, in our country is abominable.

We know that strong relationship with parents and grandparents increase a child's ability to weather the emotional turmoil and uncertainties that he faces daily. We know, further, that these relationships help to buffer the child from negative peer pressure. Yet today's children spend less time with their parents and grandparents (or any adults) than they did in previous generations.

The abundance of powerful information from many years of study reveals that the relationship between a child and his or her grandparents is second only in emotional intensity to that of a child and his or her parents. The severence of or intrusion upon that natural bond can have longterm unhealthy effects.

In another era the question of whether children and their grandparents should have access to one another would never be addressed; there would have been limited potential for controversy. Historically, children have united with their grandparents and other family members to provide the cement that kept families and, in turn, society generally stable (and preserved, to utilize the current verbiage). The family unit thrived and provided its own fiscal and emotional comfort, each generation serving as an enhancement of its own to the succeeding one.

Today such concerns as long-distance grandparenting or lifestyle stresses can have an adverse effect upon the normal relationship between the polar generations. Many of today's parents resent what they deem to be the grandparents' intrusion into their lives and those of their children and deny visitation in an attempt to maintain parental rights. Divorce and stepparent adoption, along with blended family controversy and personal attitude differences are issues that are currently being addressed. The charges of grandchild spoiling and favoritism or indifference and lack of concern can certainly adversely affect the child/grandparent relationship.

This workshop will examine and make recommendations about some of the most pertinent problem areas that we see evidenced from our intergenerational studies and consumer exchanges. In addition to looking at those issues just mentioned, we will also examine (1) what do children gain from a close relationship with their grandparents and conversely, what do they lose; (2) how conflicts between the parent generation and the grandparent generation affect the child; (3) the effects of a litigious society on family relationships and how to avoid falling into the legislative trap; (4) the diversity of the state grandparent visitation statutes and the need for a common uniform law which will serve as a definitive basis for understanding by all parties involved in a dispute situation; (5) the meaning of the standard, "the best interest of the child" and how it sometimes works against the child; (6) family right to privacy and the meaning of the intact family; and (7) the use of family mediation services to assist in intergenerational disputes over visitation.

It is our belief that the child welfare system is in severe chaos and that its lack of accountability to an overseeing agency, coupled by its internal professional illnesses is reflected in the crises some families encounter after welfare intervention. If time permits we will address this interesting issue.

How to Make Custody Determinations Less Adversarial—Perspectives from the Courtroom

The Honorable Lawrence W. Kaplan, Judge
Family Division, Court of Common Pleas of Allegheny County, Pittsburgh.
The following is reproduced from Family Advocate, Summer 1990, with permission of Judge Kaplan.

All hope abandon,
ye who enter here.

That inscription, according to the Italian poet Dante, looms over the gates of hell. Some divorcing couples, however, will tell you it belongs above the courthouse door. For them, the divorce process is a very special hell.

It's no paradise for domestic-relations judges, either. Because of the bitter disputes, vindictive behavior, and emotional turmoil that prevail in this area of the law, most judges would rather preside over homicide trials than deal with matters of family law (which increasingly involve spousal-abuse issues as well). Criminal and civil proceedings are tranquil by comparison.

Actually, the divorce itself, where the state declares that the parties involved are no longer married, is the easy part. No-fault divorce legislation has seen to that. The tough part involves the many remaining issues: child support, alimony or maintenance, division of property, and worst of all, child custody. These are the issues that draw the attention of lawyers, court employees, evaluators, mediators, mental-health professionals, federal and state legislators and officials, sociologists, and researchers. Presiding over it all is the judge.

How, then does anyone end up as a domestic-relations judge? In counties with only one or two judges, a judge doesn't have much choice, given that more than half the litigation in our country today involves family cases (including juvenile cases). In larger jurisdictions, there may be family courts or divisions to which judges are directly appointed or elected. Some will volunteer for this service, especially those who specialized in the practice of family law before becoming judges, or perhaps have strong social-work backgrounds, may simply care about helping people during this distressing time.

Most divorcing couples, however are in a position to avoid domestic-relations court. In fact, 90 percent of them do just that, negotiating through their lawyers, retaining a family mediator to assist them in developing an agreement, or in very rare cases, working out an agreement themselves. In many jurisdictions it is possible to go through the entire process without ever seeing a judge.

The 10 percent who fight

If, however, you are part of the remaining 10 percent, you will get a chance to meet a judge. Depending on the type of case, the judge may in fact be a commissioner, referee, hearing officer, or master (the titles vary from state to state) who has been designated to conduct a hearing or attempt to settle the case. It is at this point that the couple loses control of their own lives and in effect throws themselves on the mercy of the court-a total stranger who wears a black robe and will now allocate the parties' assets, down to and including their children.

People end up in the 10 percent for many reasons. A few just like to fight and really won't be happy otherwise. They may explain this impulse in terms of high principle, or in terms of retribution, but neither approach will arouse much compassion in a judge. Most of the time, one of the parties just doesn't want to be fair-whether it has to do with division of property, appropriate spousal and/or child support, or access to the children. Even after a lawyer has explained how the law is applied in these areas, the client may persist in maintaining an untenable position. This same client (usually the husband in economic matters and the wife in custody matters) may try to assert his or her power to starve out or intimidate the other. Such a client should not blame the lawyers if the judge doesn't go along.

Making 'new law'

Some cases are part of an evolving area of the law; they are difficult to settle because of their sheer uniqueness. It may seem natural to seek a judge's verdict in such a situation, but unless the client is interested in having his or her name in the law books as part of an appellate-court opinion, with all the attendant costs and uncertainty, it makes great sense to resolve the problem another way. The trial judge and lawyers might be excited about making "new law," but the divorcing couple's role in this is bound to be unhappy.

Of course, cases do come up where the couple and their lawyers have legitimate differences of opinion on the interpretation of the law, the facts, or both; and again, there are gradations of fairness. These are the tough cases for the judge, who, acting on an understanding of the law, application of the facts, experience, and decisions in prior cases, will try to fashion a decree that is fair to all involved.

It has been said that if both spouses are unhappy with the court's order, then it is probably a good decision. If there is happiness, it is usually because the case is over-for at least a time. The wariness is appropriate, because, to use a term from criminal law, there is much recidivism in family-law cases. People keep coming back to court: The child support should be raised or lowered, the custody should be changed, the agreement did not quite provide for all contingencies.

The enforcement or contempt proceedings seem never to

stop. "He isn't paying his child support." "She won't let me see my kids." "Our agreement says this!" "No, it says that!" In fact, these contempt proceedings are what clog the family-court systems. That's not to say that most court orders are not respected-they are, and for that, judges are grateful.

The unfortunate truth, however, is that an ever-increasing minority is violating court orders with impunity, and making it difficult for others who are entering the system for the first time. Needless to say, these first-time litigants are appalled by the chaos they see about them. Yet another reason to stay out of court.

Whether or not that proves possible, the process will ultimately be a search for fairness. An experienced divorce lawyer understands this, and will seek fairness both for and from his or her client. Many well-meaning friends and relatives will be quick with advice and comfort. Accept their comfort , but follow the lawyer's advice. It is difficult to be objective at a time like this, let alone grasp all the implications of this painful transition.

If the emotional burden is too much, seek professional counseling. Don't be upset if it also becomes necessary to retain other professionals, such as business and real-estate appraisers and accountants. This will depend on the complexity of the case and the type of assets involved. In custody matters psychological evaluations and home studies may be necessary.

Moral: Cooperate

Many divorces are now taking on aspects of major litigation, with great emphasis on the so-called discovery process: interrogatories, depositions, and document production. All of this is part of the search for the truth, and either party can choose to cooperate or not. Those who prefer to obstruct the process come to court. Moral of the story: Cooperate. In the custody arena, absent serious pathological problems, the judge is going to want the children to have access to both parents. Frequently, these arrangements are best worked out in mediation, with a trained, impartial, third party assisting the parents in arriving at a fair settlement. Moral: Cooperate.

Should the dispute end up in the courtroom, experienced family lawyers know how judges decide cases. Within those perimeters, they will try to get the best deal possible for their clients-but they can't perform miracles. One of a lawyer's primary jobs is to keep the client realistic. A pet peeve of judges is the lawyer who gives a client false expectations. Judges are going to do their best to be equitable, going to produce a fair agreement. In the interest of furthering that goal, all parties should strive to observe the three B-C's:

•Be civil. It is not necessary to be friends or let bygones be bygones, but any person is entitled to common courtesy, especially in the presence of children.

•Be considerate. Actually this is just another version of the Golden Rule: Don't do unto the other that which you wouldn't want done to you.

•Be cooperative. You'll gain nothing by stonewalling, playing games, or being vindictive. In the long run, as in the short term, those tactics will hurt everyone involved.

With a little luck, and considerable patience on the part of the clients, the judge may never get a chance to meet them. It should only happen.

Programs of The Aring Institute for Families of Divorce and Remarriage

Sally Brush, M.Ed.
Director, The Aring Institute of Beech Acres, Cincinnati, Ohio

The Aring Institute of Beech Acres staff has been offering programs for families of divorce and remarriage in Cincinnati for 13 years. these programs are comprehensive in meeting the needs of families in transition and have been nationally recognized for their quality and innovation.

Separation, divorce and stepfamily changes place unique pressures on children and parents often resulting in pain, confusion and fear. Children who are unable to adjust to their parent's divorce often suffer long-term emotional trauma. At this very time when children need extra help, often their parents' ability to handle changes and help children cope is at a low ebb. Divorce is generally considered a failure and most people do not know how to talk about it. Often families experience this change an isolation, without the support of extended family, friends, or even the help of each other. Support groups, education programs and mediation can fill this gap.

Believing that divorce is often the best solution to an otherwise destructive family situation, the Aring programs help people learn skills to enhance their self esteem, their parenting effectiveness and their ability to talk with each other about change and conflict.

Following is a summary of programs conducted in 1991.

Groups for Seperated and Divorced Parents

Research has shown that divorce hurts children less if at least one of their parents has adjusted well and has a good

relationship with their children. These groups help parents meet those goals.

Types of Groups:
Shared Experience
Succeeding in Relationships
Mothers without Custody
Fathers without Custody
Stepfamilies
Adult Children of Divorce
Number of Groups: 46
Number of Parents Completing Groups: 386

Groups for Children of Divorce

The Boys and Girls Group about Divorce provides a safe environment for children with similar experiences to understand their parent's divorce. They learn helpful ways to cope with their reactions and feelings.

The groups take place in schools and other community locations.

Number of Groups: 226
Number of Children Completing Groups: 1832
Number of Schools: 73 Number of
Other Locations: 7

Coping with Divorce

A joint project of The Aring Institute and local Courts of Domestic Relations, these sessions give people information about divorce and what community resources can help them. By knowing what to expect, divorcing people can make better decisions for themselves and their children.

Topics covered include: How to help children cope with divorce, What helps adults, and What to expect from lawyers and the Court.

Number of Sessions: 82
Number of Persons Attending Sessions: 504

My Family Your Family

This classroom presentation for second to fifth graders helps children become aware of the value of the family, recognize and respect family differences, and learn where they can find help when family changes are hard.

Number of Presentations: 95
Number of Children Attending Presentations: 2242

Mediation

Research has shown that a civil parent to parent relationship following divorce is important to a child's adjustment. Mediation set the stage for such a relationship far better than the adversarial court process.

Number of Mediations Completed: 144

Training Teachers, Social Workers, Lawyers, and Other Professionals

Professionals who have knowledge and skills in working with families of divorce and remarriage, can be more effective in helping families adjust to these changes.

Number of Workshops: 25 (2-6 hours)
Number of Courses: 8 (10-40 hours)
Number of Professionals Attending Workshops and Courses: 819

Raising Community Awareness

When friends and extended family members understand what helps families going through divorce and remarriage, they can be more supportive and helpful; thus increasing the possibility of a successful adjustment for children.

Number of Lectures Given: 38 Number of Persons attending Lectures: 1192

The goal of the Aring programs is to help children either directly or indirectly. With support and skills they can carry with them through life, children of divorce and remarriage are more likely to grow up realizing their potential and becoming contributing adults in our society.

How to Handle Child Abuse Allegations

Richard Austin, Ph.D.
author and court - appointed forensic psychologist, Houston, Texas

The increase in child sexual abuse allegations is a major trauma for a child, whether conclusive or not, and a growing problem for Family Courts throughout the country.

As a clinical psychologist, often court appointed to assess the parties involved in a custody disputes, sexual abuse allegations are an all to frequent issue that I must address. For the purpose of this presentation, I will use Kempe and Kempe's (1978) sexual abuse definition: "Sexual abuse is defined as the involvement of dependent, developmentally immature children and adolescents in sexual activities that they do fully comprehend, to which they are unable to give informed consent, or that violate the social taboos of family roles".

Two trends: The increase in actual cases of child abuse, and also the increase in false sexual abuse allegations resulted in a Policy Statement from the American Academy of Child and Adolescent Psychiatry (June 10, 1988), to spell out evaluation standards. The statement stresses that the evaluation should be thoroughly performed under the direction of an experienced child psychiatrist or psychologist, who should be comfortable testifying in court.

Certainly, awareness of sexual abuse has improved in the

last ten years, and children know more about it. The National Committee for Prevention of Child abuse has published a "Spiderman" and "Power Pack" comic strip to inform children and adolescents what sexual abuse is, and how to report it to the authorities. Although increased protection for victims has been a result, an increase in "victims" by false allegations has also taken place. For example, five year old twin girls were taken out of their home their preschool teacher reported that they stated that their father touched them in the "wrong places". While still out of their home, they admitted to a psychologist that the story was made up. They were apparently given extra attention for their "abuse" remarks.

Many parents, camp counselors, and even mental health experts are becoming defensive about contacts with children as allegations of sexual abuse increase. In the September, 1991, *Psychotherapy Today* journal, Albert Kastle, Ph.D., states that allegations, especially false allegations, against therapists have increased dramatically. Kastle and Podler, studying 25 cases, identified several factors that make up a profile of families that make false allegations. Some of them are: 1. Families have made previous unsubstantiated accusations of sexual abuse of their children; 2. Families where one or both of the parents have been victims of child sexual abuse themselves; 3. patents with an extensive history of mental illness; 4. Families in the process of breaking up; and 5. Families involved in the occult.

Although most women retain custody of children after a divorce, almost 50% of the men nationwide that attempt custody through the courts win it. (This information is based on estimates from my clinical experience, Harris County, Texas and from numerous articles that I have read). This may help explain the high incidence of false allegations of sexual abuse during court litigation for custody and/or visitation. Dr. Arthur Green in an article, "True and False Allegations of Sexual Abuse in Child Custody Disputes" (J. American Academy of Child Psychiatry, 25, 1986), estimated from studies that 55% of the allegations are false.

Green's summary, which I find helpful, lists characteristics of True vs. False abuse. These include a delayed, reticent, or conflicted disclosure with true cases, while the child's disclosure is easy and spontaneous with false cases; like the "rehearsed litany" on Richard Gardner's Sexual Abuse Legitimacy Scale. A true disclosure by the child is usually painful, and depressing, while a false disclosure has an absence of negative emotions. The child uses age appropriate sexual terms with true cases, while adult language is often used by children in false cases. In true cases the child is often fearful in the father's presence, while with false accusations the child will often angrily confront the father in the mother's presence. Falsely accusing parent (usually the mother) often has prominent paranoid and hysterical symptoms.

Research by several authors from Blich, 1982, to Seketky, 1986, (see The Patent Alienation Syndrome and the Differentiation Between Fabrication and Genuine Child Sexual Abuse—1987) discusses valuable indications in the assessment of child sexual abuse allegations. However, caution is recommended here, as many cases include both indications that the abuse is and is not true. The following is a guideline to be used in the context of a professional assessment of the accuser, the alleged perpetrator, and the victim.

Indicators of True Abuse

1. The child has trouble taking about the abuse.
2. The child changes his (her) story.
3. The child is depressed or anxious while disclosing.
4. The child has trouble confronting the accuser.
5. The child describes the sexual activity in age appropriate ways.
6. The child gives specific, appropriate details of the sexual activities.
7. The child indicates that the intensity of sexual activity grew over time.
8. The accusing parent is ambivalent about the child's involvement in the proceedings.
9. The accusing parent has remorse about not protecting the child.

Indicators of False Abuse

1. The child's disclosure is made easily without emotions.
2. The child uses adult sexual language without giving specific details.
3. The child easily confronts the perpetrator.
4. The child is comfortable with the accused.
5. The child appears prompted by the accusing parent.
6. The child indicates that intense sexual activity began at once.
7. The parents are in a custody dispute, or have severe martial discord.
8. The accusing parent is eager for the child to testify.
9. The accusing parent gives vague answers about the development of abuse suspicions.
10. An accusing child who is older appears to be seeking revenge against the accused parent.

Evaluations Steps

The following steps are useful to assess the validity of a sexual abuse claim.

1. A clinical history of the alleged sexual abuse.
2. A medical examination by a specialist experienced with sexual abuse issues.
3. A clinical assessment of the complaining parent and the accused parent, to include interviews, observations, personality tests, and a family history which includes a relationship and sexual history.
4. An examination of the child, which includes observations,

interviews, projective tests or stories, drawings, and sometimes, the use of dolls, both with and without anatomical sexual features. (See *Child Sexual Abuse:* Faller, Kathleen Coulborn (1988) on examination procedures).

5. The use of relevant collateral information; such as housekeepers, other relatives, or even siblings that know the alleged victim.

Of course, the age of the child is important. A very young child has limited ability to verbalize sexual abuse, while with older children, the verbalization of their feelings about any abuse actions is an important indicator.

6. *The Sexual Abuse legitimacy Scale* (SAL) by Richard A. Gardner, M.D., is used as another tool to tell the differences between bonafide and fabricated sexual abuse. Based on five years of research (1983-1988), the scale has a significant empirical base to weigh each criteria to arrive at a score for the child, the accuser, and the accused that is either more likely to be bonafide sexual abuse, or more likely to be inconclusive.

I have personally found the scale to be very helpful, and an excellent way to check out the sources of assessment. Of particular interest is the accusing parent's attitude toward the accused; whether there is an attempt to get revenge, or destroy the accused. Also a weak denial by the accused, or any evidence of persuasion to have the child"keep the secret," is valuable as an indicator of real abuse. However, many symptoms of sexual abuse by the child, such as episodes of frequent sexual excitation, can be misinterpreted by those unfamiliar with the developmental stages in child development.

I have several significant "real life" cases from my practice of fabricated abuse, and actual abuse, that will be used in discussion at the NCCR Conference. The real life cases involve female abusers, as well as male abusers, and a host of false accusations that have created adult and child victimization of some magnitude.

I will discuss the court testimony I had to give in several cases to change custody of the child, to protect the child, or put a sexual abuse allegation to rest.

The times are difficult for children, for their families, and also for the courts and society. As mental health experts work together with attorneys and the Family Courts, which they must do in sexual abuse allegations, the teamwork created by this cooperation with such a serious issue can work together for the good of the children in other areas.

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What Non-Custodial Mothers and Non-Custodial Fathers Have in Common

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Robert Hantman and Sharon Swab

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I. An overview of Mothers Without Custody

A. MOTHERS WITHOUT CUSTODY (MW/OC) is a non-profit, self directed organization. Our primary purpose is to enhance the quality of life for our children by strengthening the role of non-custodial parents in regard to custody, child support, visitation and parenting.

We strive to provide a self-directed network and an outlet for the sharing of experiences for mothers without physical custody of their children.

B. History of MWOC

1. Founded in July 1981 in Sudbury, Mass; now headquartered in Houston, TX
2. National membership of over 500 with approxi mately 80 local chapters
3. Some states have State Coordinators who are re sponsible for establishing local chapters

C. Reasons for loss of custody (mothers and fathers)

1. Voluntary exchange of custody
2. Coerced voluntary exchange of custody
3. Court rulings
4. Child(ren) being abducted by the father/mother
5. Child(ren) opting to live with the other parent
6. State intervention

II. Similarities between non-custodial mothers and noncustodial fathers

A. Positives

1. Love for our child(ren)
2. Desire to have a continuing responsible parenting

relationship with our child(ren)
3. Desire to have the best for our children
4. Desire to develop in additional to the parental role i.e. education, career, community interests, and the changing social status

B. Negatives
1. Guilt regarding our divorce i.e. stigma, unresolved issues (loss of identity)
2. Sorrow over missing the day-to-day traditional parenting role
3. Access— lack of response form the legal system
4. Feeling victimized

III. Changes for the non-custodial mother/non-custodial father
A. Housing arrangements as a single person
1. Leaving the family home and familiar surroundings
2. Establishing a new residence and being sure there is space for your child(ren) to visit,; in some instances this could even be a group home

B. Financial changes due to divorce
1. Loss of income for women
2. Loss of second income for husbands
3. Changes in pensions and savings and health insurance coverage(s)
4. Burdensome paperwork to make needed changes

C. Entering the social scene
1. In many cases loss of self-esteem
2. Stress of finding new social outlets
3. Balancing role as new single parent and socializing

D. Health changes due to stress
1. Statistics prove that newly divorced people are more accident prone
2. Mental — emotional — spiritual i.e. feeling out of control/balance
3. Physiological (?) stress related illnesses i.e. back, neck, shoulders, upper G.I. and lower G.I.
4. Compulsive disorders i.e. eating, smoking, drugs, alcohol, sex, love

IV. How can the non-custodial mother/non-custodial father help their child(ren) cope with the stress of the changing family situation and develop a sense of security
A. To help the child cope with stress
1. Don't bad mouth the other parent
2. Avoid having the child take sides in any conflict between you. The child should not have to choose between parents.
3. Do not communicate with each other through the child. Keep the child from being caught tin the middle.
4. When you are sad, try not to weep in front of the child but do acknowledge that each of you is feeling unhappy.
5. Try to keep good sleeping and eating patterns for the child.
6. Try to plan some happy times for your child but don't over-indulge. Keep a balance.
7. Remember that you are the parent and your child(ren)- are not your confidants.

B. Create a secure/structural environment
1. Once the decision to separate is made, both parents need to explain this to their child(ren) promptly. There are few real secrets in a household.
2. Give the child some time to absorb the news. A preschooler may need a few days; a teenager may need a few weeks or preparation before the separation. Avoid sudden or surprise disappearances.
3. Make sure the child understands what new words like separation and divorce mean.
4. Assure and reassure the child of your continuing love and that it is not their fault you are separating. They are not responsible.
5. Assure the child that you will not abandon them.
6. Let the child know that decisions regarding custody or visitation will be made by both parents with attention to an older child's wishes, where possible.
7. Continued contact with family, friends, playmates, extended families for a familiar environment and second home experience.
8. Sharing your unique talents/interests with your child(ren).
9. Create family traditions.
10. Find ways to be a part of your child's lives.

V. Support and role models
A. Support
1. Support organizations such as MWOC, woman's centers, mens groups, and other support groups
2. Friends
3. Family
4. Religious and spiritual organizations
5. Psychological support
6. Health related support
7. Any organization and/or friends that include you
8. Importance of fostering family ties

B. Role Models
1. Other non-custodial parents who have achieved balance in their lives and good relationship with their child(ren)
2. Mentors i.e. woman establishing new careers; men provided a stability
3. Parents, grandparents and friends

VI. Summary

Non-custodial mothers and non-custodial fathers have a shared commonality in their changing parenting roles of both the positive/negative and find themselves unconnected to anything and their major challenge is to reconnect themselves with things and people and establish a secure parenting role.

Healing is a process that we believe cannot be constructively advocated from a position of personal anger.

The Mothers Without Custody slogan is "GO ON LOVING AND LIVING."

How to Obtain Financial Child Support Data Through Filing of Freedom of Information Act (FOIA) Requests

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Introduction

Public knowledge of child support enforcement programs remains sketchy, despite the intensification of these programs in the 1980's. NCCR concluded that much useful information on child support programs is present in data bases maintained by state agencies. This workshop will discuss NCCR's use of Freedom of Information Acts (FOIAs) in the District of Columbia, Maryland, and Virginia to obtain information from child support data bases.

Publicly Available Statistics About the Program

The statistics publicly available to describe the child support enforcement program have until now been limited primarily to statistics which program managers have released. The Department of Health and Human Services, Office of Child Support Enforcement, publishes an annual report to Congress. *Child Support Enforcement - Fifteenth Annual Report Congress* covers the fiscal year ending September 30, 1990. The draft now available contains five chapters, seven graphs, 134 statistical tables, and three appendices.

Many states publish reports as well. Maryland's Child Support Enforcement Administration (CSEA), for example, published and Annual Report for fiscal year 1990 containing 15 pages of "Statistical Charts and Graphs." These pages present "Locations" (of absent parents), "Support Orders Established", "Paternities Established", "Total Collections", AFDC Collections", "Non-AFDC Collections", "Child Support Collections", "Caseload to Staff Ratio", "Cost Benefit Ratios", and several graphs to illustrate trends.

The District of Columbia's Office of Paternity and Child Support Enforcement (OPCSE) does not publish an annual report. Instead, the OPCSE provided "Program Statistics" in response to NCCR's request for an annual report. Included are Collections, Incentive Payments, Caseload, and Paternity Establishments.

None of these reports provides the information described in the following section.

Additional Information the Public Needs

The public needs to have both more accurate and more complete information concerning visitation and child support, including more about operations of the state child support enforcement agencies and the characteristics of obligors. For example, it is generally believed that 97 to 98 percent of child support obligors are fathers; that women subject to child support orders are on average subject to smaller orders than comparably situated men; that the payment records of women subject to orders are on average worse than those for men; that some obligors may overpay and that proportonately more men overpay than women. The public should also learn if any of these agencies knows the reasons why some obligors fall behind in payment, and if so, what these reasons are. All of this information will enable the public to work more closely with public authorities in proposing modifications to family law policy and law so as to improve the relations between parents and children and reduce public costs.

The public needs to learn more about the statistics relating to obligors' child support payments and obligees' receipts of child support payments. Existing statistics are misleading. For example, the U.S. Bureau of the census asks obligees to report amounts they receive, but not obligors amounts they have paid. NCCR believes that this methodology results in under-reporting of obligors' payments and that the information NCCR has requested form the data base is essential to confirm the defects in the statistics and to find ways to improve the accuracy of these statistics. Such an understanding will permit more effective assessment of the relation between the non-custodial parent's access to his or her children and the rate of child support compliance. Regular payment of child support to children of divorced parents is critical to their well-being, yet the relationship between a non-custodial parent's access to his children and compliance with child support is still in dispute. NCCR believes that a non-custodial parent having more liberal access to his children is more likely to comply with child support orders.

NCCR's Use of the Freedom of Information Act

NCCR sent a Freedom of Information act (FOIA) request to the District of Columbia's Office of paternity and Child Support Enforcement (OPCSE) in June 1990. The request led to a dialogue between NCCR and the OPCSE, culminating in the OPCSE's providing NCCR with the following information:

1. Statistics on the OPCSE operations.
2. An official telephone listing of the staff of the Office of Paternity and Child Support Enforcement.

3. A copy of each of the blank forms, excluding inter state forms, which the OPCSE use in carrying out its mission.
4. A print-out of the structure of each of the data bases of child support obligees, obligors, and children which the OPCSE uses in carrying out its mission.
5. A copy in machine-readable form of the following data fields for obligors in the OPCSE data base:
    1. First and Last Name
    2. Residential Address
    3. City
    4. State
    5. Zip
    6. Court Docket No.
    7. Order Effective Date
    8. Order Amount
    9. Order Frequency
    10. Amount Owed
    11. Amount Paid
    12. Amount Balance
    13. Sex
    14. Number of Children

NCCR sent a Freedom of Information Act (FOIS) request to Maryland's Child Support Enforcement Adminstration (CSEA) in August 1990. The request sought the same information listed in items 1 through 12 above. The CSEA denied the request and NCCR appealed. A Maryland Administrative Law Judge heard the case in July 1991. As of January 20, 1992, this case is pending before the Administrative Law Judge. A member of NCCR has also pursued a FOIA in Virginia.

Techniques for Pursuing a FOIA Request

The guiding principle of a Freedom of Information Act (FOIA) request is to ask for information which is already in public court records. Careful selection of information to request of the agencies is important, since the agencies may have information in their data bases which may not be releasable. Such information generally relates to income and deductions of taxpayers in the data base, which the IRS has furnished.

The mission of the child support agencies is to enforce court order for payment of child support. Court records are public. The agencies must of necessity obtain the basic case information form court records, later entered into the agency's electronic data base, should also be public.

The process of using FOIA includes these steps: (1) learning about the state FOIA statute and the child support agency and (2) filing the FOIA request for the information selected from the data base.

Learning about the agency should include filing a preliminary FOIA request with the agency requesting: (1) The agency's annual report, (2) the agency's official telephone listing, (3) the agency's forms (excluding interstate forms) and (4) the file structure of the agency's data bases, including the fields of a data base record. Usually child support agencies have a Master Child Support Register, and other more specialized registers for specific enforcement efforts, such as a tax intercept register, a lottery intercept register, and an assets register.

Then, the principal FOIA request should be ready to submit. The request should list specific fields from the data base file structure obtained through the preliminary FOIA request. It should also specify the format for providing computerized data base information.

NCCR will provide additional information and guidance to those intrested in pursuing FOIA requests for information from child support data bases. NCCR will also provide additional information to those interested in learning more about the results achieved through using state FOIA statutes.

Let's Discuss Your Children... Are They Emotionally Healthy After Divorce?

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Even though there is vast literature on the effects of divorce to children, joint custody, sole custody, and emerging research regarding the use of mediation in solving parental disputes within the divorce context, there are no studies that actually demonstrate that children who experience divorce have better chances of developing healthy emotional patterns than children who do not experience divorce.

As a mediator helping divorcing parties develop an agreement regarding property disputes and in most cases child custody arrangement, mediation has been shown to be a most effective tool. When parents work together to develop a parenting plan which best serves the needs and individual configurations of the family, in the end, it best serves the interests of the children. However, even within the most effective mediation practices an with the most functional of parents, children of such families still experience some emotional difficulties.

Such difficulties are not easily identified. Some difficulties experienced by children of divorce, do not emerge until

eighteen months after the divorce. Some children of divorce do not demonstrate the effects until late adolescence within the context of their own relationships.

Some children are hit twice. Statistics regarding multiple marriages since the 1980's, indicate that one half of all children who experienced a first divorce will experience a second, as the remarriages of their parents, half of which will end in divorce. This usually occurs around the age of sixteen or seventeen, just as the teenager is experiencing a first relationship of their own.

Research has demonstrated that divorce is always traumatic and difficult for children of all ages. Children's emotional effects are also long lasting, and not temporary as initially thought of. Judith Wallerstein and Sandra Blakeslee in their book Second Chances, a study of children of divorced families, illustrate this point based upon a first longitudinal study undertaken.

Not all children who experience divorce suffer from adult childhood dysfunction. Based upon the type of divorce and the behaviors of the parents during, and after the divorce period will generate specific affect and behaviors within children in later life.

This discussion centers around the type of divorce each participate has experienced and some analysis of the types of behaviors their children may be experiencing.

All children of divorce have many common characteristics. Diane Fassel, Growing Up Divorced, has identified some characteristics: fear of abandonment, overdeveloped sense of responsibility, easily drawn into taking sides, they abandon others, feel used in their personal relationships or they may create situations where they are used and lastly authority figures are either over idealized or blamed.

Some children develop a dysfunction which can be defined as a set of behaviors that are used as a substitute for intimacy. Behaviors such as lying or exaggerating, emotional repression, violence, drug addictions, or sexual acting out, or any of the other addictive behaviors are defined as dysfunctional.

How Can Parents Aid the Children in Distress?

Patents are essential and most helpful in creating an atmosphere of love and nurturing which can aid in the process of healing and learning how to grow. Though the use of active listening and effective communication patterns with children, parents can become the key to help children express their fears and learn to control behavior.

The very concept that so many children and parents are products of the divorce family and exist in society, can serve to prevent feelings of isolation. Parents are encouraged to seek help, whether through divorce groups, or parent effectiveness groups, and children are encouraged to associate and talk with other children of divorce, as well as their parents.

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Enabling Children of Divorce to Win

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When parents divorce, their children can be regarded as chattel or their needs can be seen as a challenge. Divorce mediators, in all their efforts to have each adult participant emerge from the domestic fray as at least a partial winner, may massage each partner's ego by effectively, if unintentionally, treating the children as chattel. That is, child custody is handled in such a way that the parents either share custody or arrange a liberal visitation policy. The children, especially pre-adolescents, are rarely consulted about *their* preferences.

In more adversarial divorces, the attorneys often do this as well, and the custody arrangements suggested to the court may be even less liberal. Have any of these professionals really been attending to what are the child(ren)'s "best interests" whether or not these are in conflict with the parents' needs? Herein lies the challenge.

More and more professionals recognize that some of the problems confronting children of divorce are due to differing perceptions of child custody held by lawyers and judges on the one hand and by mental health professionals on the other. As Lowery (1984) asserted, "for the mental health professional, the evaluation question becomes, "which parent is a better match for having primary responsibility for raising the child?... [T]he court, on its own, is more likely to ask, "which parent is the better adult?" (p.379).

The Problems

Absence of children's voices

Wallerstein has stated the issue in eloquent simplicity: "The child is the hidden client in the divorce proceeding"

(1986, P.105). As she pointed out, they are rarely heard by attorneys or judges, or even their parents. Research, however, suggests that children of seven or eight are considered capable by many judges, and other standards, to be capable of exercising rational though (Kaslow &. Schwartz, 1987)

Some of the questions to be raised here are:

•At what age, if at all, is it appropriate for children to express their needs and concerns?

•Should children be asked to state a preference for living with one parent or the other?

•Should a legal mandate for joint physical custody outweigh children's expressed needs and concerns?

•To what degree should caretaking and visitation arrangements designed to maximize continuity of parent-child relationships supersede children's changing needs and activities?

Levels of parental interaction

Being a parent is a lifetime commitment. It is also the one major adult role for which most parents have little or no preparation. Whatever their behavior may have been as a married couple, too often they regress to the level of squabbling siblings when the marriage is dissolved.

•Are the parents capable of setting aside their interpersonal conflicts in favor of their common concern for their child(ren)'s welfare?

•In what ways can children be protected from the negative impact of inadequate, delayed, or unpaid support orders that result from parental hostilities?

•In what ways might the entrance of new spouses or "significant others" affect the parents' relationship and thus the parent-child relationship?

At the time of divorce

•In what ways can decision-making as to children's living arrangements be expedited so as to reduce *their* anxiety and maximize their emotional security?

•Should provision be made in the divorce order for periodic review and re-evaluation of caretaking responsibilities and visitation arrangements?

Role of mental health professionals

•What kinds of information can they provide to the court?

•In what ways can they increase the usefulness of their reports to the court (and to the children)?

Recommendations

Apart from recommendations toe "educate" the legal professionals about child development and developmental needs, there is a need to empower children, wherever possible and especially as they mature, to have a role in shaping their own destiny. Several suggestions will be offered to make this possible.

Conclusion

The mental health and legal professions have much to learn from each other. In both domains, practitioners as well as parents must recognize that children are too valuable and too vulnerable to be left as the hidden and unheard victims of their parents' inability to live together harmoniously. If professional and parents are willing to learn from and to work with each other, they will empower children to win a voice in their lives and to enable them to strive for a healthier adulthood.

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Play Therapy for Adults: Healing the Child Within

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Teachings of the Child Spirit

It is there, in every one of us. It has more to do with imagination than logic, heart than head, journey than arrival, mystery than fact, feelings than thoughts.

We can civilize it, forget it, squelch it, ignore it, deny it; ...but it's there in its indomitable way. It appears in a rhyme, a rhythm, a noise, a sob, an image, a belly laugh, a melody, a game, a drawing, a dance. What a powerful teacher right here within us. It asks us to focus some time, energy and attention to learning.

As healthy functioning adults, we've had to set limits on most childish thoughts and behavior. As parents we have responsibility for our own and other's children. We have lots to do and much to care about.

Caring for our own inner child, honoring it as a spirited teacher, may fall into the not-enough-time category for many of us. This workshop invites you, with guidance, to provide a safe setting for your inner child spirit to teach you something ... perhaps about discovery, creativity, serious or silly expressiveness. Come and play.

A Brief History of Prevailing Child Support Doctrine

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Child Support Policy and the Welfare of Women and Children

In the 1980s, there was a public perception that, to a great extent, poverty in the United States had been created by the high divorce rate. This incredible but persistent view, which sprang from what has become known as the political "feminization of poverty" has been discredited (Abraham, 1989), but has not been liberated from the frame of government policy.

Major welfare reforms of the 80s moved into the realm of private marital contracts with child support policy that assumes father no longer has contact with his children. Increases in private support levels resulting from federally mandated, presumptive state child support formulas have benefited upper and middle income mothers.

In the 1980s, poverty reached a cross-section of American families regardless of marital status. The chief causes were a decline in wages, especially for young workers, declining effectiveness of government poverty programs, and changes in the job market (Johnson, et al., 1991).

The U.S. Bureau of the Census (Current Population Reports), reported that the nations poverty rate was 14 percent in 1985. In that same year, 906,000 women with valid support orders, about 0.4 percent of the population, were living below the poverty line (Solomon, 1989). Including children, the poverty rate associated with valid support orders was approximately 1 percent.

In 1985, 7.8 million women were eligible for private child support. Of those, 23 percent were living below the poverty threshold. The 906,000 women with valid support orders living below the poverty threshold represent 11.6 percent of the number of women eligible; only about half those that were living below the poverty threshold. This pre-reform figure is remarkable given the higher rate of divorce among the 20% of American families with the lowest income and the financial havoc that results from divorce.

The most prevalent reported cause of non-payment of child support is unemployment (Young, 1975; Chambers, 1979; Wallerstein & Huntington, 1983; Pearson & Thoennes, 1986; Sonenstein & Calhous, 1988; Braver, et al., 1988). Braver, Fitzpatrick, and Bay showed that between 80 and 100 percent of due child support was paid voluntarily by divorced fathers who are fully employed.

Envisioned to reduce spending, the Child Support Enforcement Program suffered a net loss to the taxpayer of at least $186 million in FY 1990. The program has lost money for at least two consecutive years. The federal program deficit was at least $526 million (OCSE, 1990).

Support enforcement administration (extending all the way to the local district attorney's office and officials of family or domestic relations courts) has benefited from federal tax transfers under the IV-D program (OCSE, 1990). In 1990, Dick Darman, Director of the Office of Management and Budget, reported to Congress that there had been similar accounting problems in both the AFDC and Foster Care (FC) programs (referring to GAO reports).

Single female headed households have a poverty rate more than twice that of the general population. Between 1960 and 1988, the number of births to unwed mothers doubled. In the mid-80s, Garfinkel and McLanahan reported that: "National data on child support awards indicated that only about 60 percent of the children who live with their mothers and are potentially eligible for child support receive an award at all."

In addition, they pointed out that; "most noncustodial parents of AFDC [Aid to Families with Dependent Children] children do not earn enough to pay as much child support as their children are already receiving in AFDC benefits. ... even the best imaginable program would still leave a large proportion of the AFDC caseload poor and dependent on government." If enforcement measures do not improve collections, Garfinkel and McLanahan estimate additional government costs for experimental programs will run into billions of dollars. (Garfinkel and McLanahan, 1986)

Politics...

"Congress does not have general authority to pass or enact laws dealing with family law issues, unless there is a connection or 'nexus' between such legislation and one of the areas in which it is authorized to act." (Solomon, 1989) In 1974, Senator Russell Long perceived a connection between "fathers who abandon their children" and a growth in AFDC spending. This led to the original federal child support and paternity legislation enacted in January 1975, as Title IV, Part D of the Social Security Act. Child support enforcement services are required for families receiving assistance under AFDC, FC, and Medicaid programs (OCSE, 1990).

Empahsis shifted in the 80s. Assistance in the establishment of paternity, a prime motivation in 1974, was absent from The Child Support Enforcement Amendments of 1984. A token commitment appeared in the Family Support Act of 1988.

A new requirement, with no apparent relationship to enforcement appeared in the 1984 legislation; that each state establish state-wide child support guidelines to be used as advisory tools. The legislation received support from NOW Legal Defense Fund, National Women's Law Center, Ameri-

can Public Welfare Association, National Council of State Child Support Enforcement Administrators, and the National Governor's Association.

Representative Kennely, sponsor of the 1984 Amendments, remarked during the House debate that the reason traditionalists and feminists could support the bill was because both groups agreed that parents should take responsibility for their children seriously. No organization testified against the 1984 amendments.

When President Reagan signed the 1984 Amendments he called it, "legislation that will give children the helping hand they need." Four years later, when signing the Family Support Act of 1988, he said the legislation represents;

> *...the culmination of more than 2 years of effort and responds to the call in my 1986 State of the Union Message for real welfare reform—reform that will lead to lasting emancipation from welfare dependency. ... first, the legislation improves our system for securing support from absent parents...*

The 1988 reform extended the presumptive application of child support guidelines to all child support decisions. State commissions however, did not accept the new federal role without question. In commentary associated with the August 31, 1989 adoption of the Indiana Judicial Administration Committee's child support rules and guidelines, the Committee questioned whether application of presumptive guidelines is required in non-AFDC cases. The federal Office of Child Support Enforcement (OCSE) recommended application to all cases involving child support. The committee stated;

> *It is the Committee's recommendation that the position of the Child Support Enforcement Division of the Department of Health and Human Services, be adopted as the failure to do so, will undoubtedly result in litigation and/or sanctions. (page v.)*

There has not been wide-spread satisfaction with presumptive guidelines for child support. Washington State, a prime developer of the Income Shares method, provides a well documented sampling of the problems of child support guidelines design. Study of the Income Shares technology revealed it is not appropriate for presumptive use (Hewitt, 1982). A recent study showed essentially no cases in which rebuttal has been successful (Stirling, 1991). A survey of state judges shows wide-spread dissatisfaction with the guidelines (WSASCJ, 1991).

... Science ...

Working at the Wisconsin Institute for Research on Poverty, Irwin Garfinkel outlined a plan for *non-means tested welfare* (Garfinkel, 1979). Garfinkel's experiment was first implemented in Wisconsin, and eventually found its was onto the federal agenda (Margolis, 1987).

According to Garfinkel, the "tax" placed on welfare recipients by reducing government payments as their incomes from private sources rise, is more burdensome and less socially beneficial than taxing earned income. Seeing the reduction in government subsidy as a disincentive to work, he reasoned that welfare payments should not be related to financial need. (This is the basic definition of "non-means tested" welfare.)

As Garfinkel himself admitted; if everyone in the nation received maximum welfare payments regardless of income, there would be no-one left to pay for them. He imagined solving this problem by dramatically modifying his own basic proposal. He proposed a special "tax" on all non-custodial parents, with all custodial parents as the exclusive non-means tested beneficiaries. Applied to all families, this is not a government welfare program reform, but a proposal for divorce reform similar to Weitzman's widely publicized proposal on alimony stated in her popular book, *The Divorce Revolution*.

According to Weitzman, the vast majority of divorced women are entitled to a large share of their ex-husband's future income for life in order to maintain their independent standard of living at the level they would have enjoyed if they had remained married. She also hypothesized that men become more prosperous as a result of divorce. Weitzman's thesis, method, and data, have been widely criticized by economists and experts on the subject of divorce (e.g. Abraham, 1989; Braver, 1988; Lazear and Michael; 1988, and Haskins, 1985.

Courts have long since recognized that such extreme ideas did not fit the equity principles which considered the needs of children and the relative ability of parents to pay *(Smith v. Smith)*. Garfinkel and Meilli (1990) later raised the question of established child support doctrine in a paper comparing Percentage-of-Income schedules with Income-Shares, but left it to others to formulate a specific proposal.

Garfinkel and Ollerich postulated that divorce reform could reduce the "poverty gap" — the difference between the incomes of poor families headed by single mothers and the amount of money they would need to move above the poverty level — by 27 percent (Garfinkel and Ollerich, 1983).

In order to achieve this end, private child support transfers would need to be increased, but in addition, all eligible custodial parents would have an enormous impact on poverty reduction for single mothers.

In reality, changes have only increased support payments from those who are employed and pay. Under the reforms, those that do pay, pay extra; having no impact on children not covered by valid support orders.

... a Child Support Revolution...

Under the 1984 Amendments, the U.S. Department of Health and Human Services was responsible for providing "technical assistance" to states for development of child support guidelines. Direct responsibility was passed to OCSE, and on to Robert G. Williams of Policy Studies, Inc. in Denver, Colorado (Williams, 1987). The OCSE also reviews and approves state plans and evaluates state programs to

ensure that they conform to federal requirements and conducts audits to verify that states are in compliance with federal standards.

To understand Williams' recommendations we must first comment on an OCSE report authored by Ron Haskins on estimating "National Child Support Collections Potential" (Haskins et al., 1985). To make estimates as high as possible (as the title of the study suggests), Haskins ignored direct involvement, and thus direct financial contributions during that involvement, between non-custodial parents and their children. Haskins estimated that child support awards would jump from about $10 billion to $26.6 billion nationwide, based on a model that assumed all fathers belonged to Senator Long's group of deserters.

Non-custodial parents again were treated as a disenfranchised funding source. What can and has confused legislators, litigators, judges, and child support commission members is the way in which Haskins' information was represented.

Rather than acknowledging that his proposal represented an unestablished child support doctrine, Williams presented the difference between Haskins' hypothetical maximum and existing awards as an "adequacy gap" in awards, which had been decided on the basis of established legal principle.

The resulting confusion has led many states to treat similarly derived upper limits as minimum support levels, forcing much higher awards to middle and upper income custodial mothers. As further example; several states actually increase the so-called "basic support obligation" (increasing the payment) directly countering credit for the non-custodial parent's time with children in situations where it is considered. Typically applied to joint or shared custody arrangements, Williams offers the explanation that payment to an ex-spouse should be increased to account for the payor's direct expenses for maintaining the "second" household.

A member of the OCSE advisory panel, which lent credibility to Williams' report, later commented that Williams' approach did not correspond to the objectives proposed by the panel (Krause, 1989). Krause raised questions about the public interest and limits on private responsibility. The existence of this problem underscores the need for a more formal approach to test postulated relationships between numeric results (implementation) and policy choices.

... and Yet Another Study of the CES

The Family Support Act (section 128) called for a study of expenditures on children. Lewin/ICF wrote the final report (Lewin/ICF, 1990). The report discusses estimates, based on the Consumer Expenditure Survey data base (CES), subcontracted by the Wisconsin Institute for Research on Poverty (Betson, 1990).

At the time of publication, the Lewin authors could not explain why Betson's estimates were consistently higher than more established estimates; for example, estimates of expenditures on children by Lazear and Michael (1988) using a "Rothbarth" approach and Espenshade's (1984) economic cost of children estimates using a "Engel" approach.

Using alternative formulae, Betson presents a low-end estimate for the intact family cost of one child in a Rothbarth-Engel range of 25% (of total family expenditures) compared to an established high-end of 24% by Espenshade. (For more information on the *Rothbarth-Engel range:* Using the Rothbarth approach, an estimate of spending on one child, has been given as 17 percent of total family expenditures (Whiting and Bancroft, 1990). For the same one child, as a percent of total family expenditures, Betson presents an Engel method estimate as high as 33 percent.)

Child support *doctrine* cannot be derived or validated by analysis of the Consumer Expenditure Survey. The CES doesn't have the data necessary to calculate spending on children for any household or group of households. It shows an extremely wide variation in total family spending in several commodity categories (food, transportation, housing, etc.), with spending decisions having less relationship to income as income rises.

CES based estimates do not provide sufficient information on what is actually spent on children (Hewitt, 1982). "No authoritative base exists for allocating estimated family expenditures on housing, transportation, and other miscellaneous goods and services among individual family members (Lino, 1991)."

Single parents spend less on children than would be spent by an intact family because the single parent household typically has less income than the intact family (Lino, 1991). Even if we assumed that one of the comparative standard of living estimates gave an accurate estimate of spending on children, awards based on information about spending in the intact household provide an automatic complementary benefit to the spouse. This practice has long since been established as illegal, because spousal maintenance can be awarded separately when appropriate (e.g., *Hering*, 1987).

Many economists contend that the Consumer Expenditure Survey is the best single source data base available for study of family spending patterns. As pointed out however, child support doctrine cannot be prophesied from its data. In order to develop better guidelines, focus must first shift from cost of children studies to child support policy.

Economic studies are by themselves, unrelated to the precepts of "just and appropriate" child support awards that, according to the language of the Family Support Act, were expected from greater dependence on technology. In the context of rational policy, technologists must then develop appropriate ways of applying the information we have on the cost of raising children.

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Congressional Update on Access (Visitation) and Financial Child Support Policies

Rich Hobbie, majority staff, and Ron Haskins, minority staff, House Ways and Means Committee. Moderator; Dick Woods, Fathers for Equal Rights, Des Moines, Iowa. Dick Woods has prepared the following items for possible discussion during the session.

Summary: Dialogue on the implementation of the Family Support Act of 1988 and legislation under consideration by the House Ways and Means Committee in the current session of Congress, including the Hyde bill (H.R. 1241) to criminalize interstate flight to evade financial child support.

1.0 Implementation of the Family Support Act of 1988

Sec. 101

Is the Ways and Means Committee examining research on whether or not immediate mandatory wage withholding increases compliance rates?

Is the Committee considering impacts on different groups of non-custodial parents, such as:

Divorce cases versus paternity cases;

Non-custodial parents with visitation (79.2% in compliance, according to Census Bureau) versus non-custodial parents without visitation;

Non-custodial parents with a history of reliable support versus non-custodial parents with a record of unreliability;

Cases which have required enforcement action in the past

versus those which have not required past enforcement action; and

The relative financial ability of the non-custodial parent to pay the court-ordered amount.

As part of the study mandated in subsection (c) of Sec. 101, is the committee examining the consequences of mandatory wage withholding on the non-custodial parent's employment; the non-custodial parent's ability to obtain credit; and the increase in litigation resulting from mandatory wage withholding ?

As part of the study mandated in subsection (c) of Sec. 101, is the committee examining the effectiveness of *threat* of mandatory withholding as an ultimate deterrent, rather than a universal penalty?

If research demonstrates that automatic mandatory wage withholding on *all* new cases is only minimally productive or non-productive at increasing compliance with financial child support orders, will the committee consider repeal of subsection (b) of Sec. 101?

Sec. 103

Is the committee monitoring inclusiveness of input in the financial child support guideline development process?

Will the committee take action if it finds that the development of guidelines has systematically excluded relevant points of view?

How would the committee define "arbitrariness" or punativeness" in financial child support guidelines?

What is the opinion of the committee on the use of gross versus net income in guidelines?

What is the opinion of the committee on a minimum dollar figure and/or percentage of income in order to sustain an incentive to work for the non-custodial parent?

What is the opinion of the committee on consideration of the responsibility of both parents to contribute, financially, to the costs of raising the child?

In the opinion of the committee, is it equitable to place the entire burden for the costs of raising the child on the parent deprived of custody of that child?

What is the opinion of the committee on inclusion of wages of the custodial and non-custodial parent in the calculation under financial child support guidelines?

In the opinion of the committee, what would be an appropriate monthly financial child support order for a non-custodial parent of one child earning minimum wage under the following circumstances:

When the custodial parent is unemployed?

When the custodial parent is unemployed and receiving A.D.C.?

When the custodial parent is earning minimum wage (about $600 per month take-home pay)?

When the custodial parent is earning $1,200 per month take-home pay?

When the custodial parent is earning $3,000 per month take-home pay?

What is the opinion of the committee on the use of a "circuit-breaker" survival level of income for disabled, non-custodial mothers on maternity leave, unemployed, part-time employed, self-employed, and contractual labor?

What is the opinion of the committee on the relevance of the actual cost of raising a child to the financial child support order?

Would the committee consider it inequitable to order the non-custodial parent to pay substantially more than the actual cost of raising the child?

Should non-custodial parents be ordered to provide tax free subsidies to the life-style of the custodial parent in the form of financial child support orders which exceed reasonable expectations for what can actually be spent on raising the child?

What is the opinion of the committee on the use of the Bureau of Labor Statistics figures on the cost of raising a child?

Should adjustments to the estimates be made on the basis of regional variations or of urban versus rural living costs?

What is the opinion of the committee on the relevance of the living costs of the children of a second family?

What, in the opinion of the committee, would constitute an undue burden on a second family?

Sec. 103(c)

Should there be "damage limits" for second families on support modifications based solely on a change in financial child support guidelines?

In the absence of a "change in circumstances" other than revision of financial child support guidelines, how much harm to a second family is too much?

What should be acceptable grounds for the agency administering "review and adjust procedures" to *refuse* to review and adjust financial child support orders on the request of a non-custodial parent:

Income of the non-custodial parent decreased due to lay-off or close of an employer?

Income decreased as the result of a job change required for a documented medical order?

There is a lack of "substantial change of circumstances" other than new financial child support guidelines?

Less than three years have elapsed since the order was last set by the court even though there is a documented "substantial change in circumstances" since that time?

The present income of the non-custodial parent, following a lay-off from a previous employer does not appear to be permanent since the possibility of recall remains?

The present income of the non-custodial parent, following the close of a previous employer does not appear to be permanent since the non-custodial parent is on unemployment compensation?

The present income of the non-custodial parent, following the close of a previous employer does not appear to be permanent since the non-custodial parent's present income

is substantially lower and/or the non-custodial parent has greater earning potential (based on the earnings history with the now-closed employer)?

Sec. 111

Did the committee envision any circumstances under which the local child support recovery office would be justified in refusing to undertake a paternity investigation at the request of the putative father?

If so, what would be justifiable grounds for refusing to undertake a paternity investigation?

In view of the findings of the Census Bureau that 79.2% of fathers with visitation rights are current on financial child support payments, would it be advantageous for voluntary compliance:

In cases of voluntary acknowledgement of paternity, to make the parties aware of mediation services, if available, in the interest of obtaining a mediated visitation schedule which could then be incorporated in the order?

In involuntary paternity cases, following positive results of blood tests, to make the parties aware of mediation services, if available, in the interest of obtaining a mediated visitation schedule which could then be incorporated in the order?

Sec. 126

Is it the opinion of the committee that the only "support" required by children for their well-being is financial support?

Does the committee acknowledge that a "mountain of research" (according to Senator Moynahan) demonstrates that children need and benefit from the attention and nurturing of both their fathers and their mothers?

Was it the intention of the committee that Commission on Interstate Child Support define its mission as including "financial child support" only, thereby *excluding* "parental child support" (access or visitation, telephone and mail access, participation in major decisions in the child's life, attendance of both parents at parent-teacher conferences and other school activities, involvement of both parents in extra curricular activities, medical care, and religious instruction, and so on)?

Sec. 504

In view of the Census Bureau report that 79.2% of non-custodial parents with visitation rights are *current* on financial child support, will the committee be significantly more interested in enforcement of parental child support (access or visitation) in the future?

Does the committee consider it to be important that implementation of the Family Support Act of 1988 by the administration be "balanced," as opposed to zealously enforcing one requirement, but giving inadequate attention to another section?

Has the committee noted that the share of the fiscal year 1990 appropriation to the three demonstration programs made available for Sec. 504 (only $900,000 for actual grants out of $7,625,000)?

Has the committee taken note of the uniformity of the "demonstration" grants awarded under the fiscal year 1990 appropriation?

Would the committee consider "mediation" to be an appropriate remedy for willful delinquency on financial child support?

Is the committee studying potential legal conflict of interest problems in the administration of access enforcement grants by local agencies which represent the custodial parent in legal matters on the opposite side of the same cases?

What is the opinion of the committee regarding delay of completion of fiscal year 1991 grants until October, 1994, two years and three months after the final report to Congress is due?

Will the committee place a high priority on the cost-effectiveness of the grants (i.e., providing access enforcement services to very large numbers of parents with the available funds as opposed to providing intensive services to a relatively small number of parents)?

2.0 Legislation under consideration in the current session of Congress

In view of the Census Bureau report that 79.2% of non-custodial parents with visitation rights are *current* on financial child support, is there any bill or amendment before the committee on the enforcement of parental child support (access or visitation)?

Is the Hyde bill to criminalize interstate flight to evade financial child support payments pending on the committee's agenda?

Will the committee assure due process protections for non-custodial parents in federal criminal prosecution?

Are there other bills before the committee dealing with financial child support, parental child support, or other domestic law issues?

Working with the Media and State Legislatures

Eric Anderson
Coordinator of NCCR, Texas Chapter and Coordinator of all NCCR Chapters

Introduction

For any activist group to succeed, that group must first develop short-term and long-term strategies for developing and working with the media and with state legislatures to get the group's message and agenda across in a cohesive and well-orchestrated manner. There are three plateaus in an organization's development: the beginning, the middle distances, and the long run. The various steps that must be taken within each of these are below:

The Beginning
- Develop short- and long-term goals;
- Identify your activists;
- Identify your enemies;
- Network;
- Create allies;
- Conduct research and build a good library; and
- Setup phone trees and letter writing campaigns.

The Middle Distances
- Develop strategy and tactics;
- Learn the legislative process; and
- Develop effective speakers.

The Long Run
- Market your concepts;
- Get Tax exempt status;
- Persevere; and
- Prevent the burnout of your people.

The Beginning

Realistic goal setting is a necessary part of an organization's program. Short-term goals may include the passing of relatively insignificant legislation or getting a legislative committee to investigate an issue of importance to you. This could also include, for example working on child legislation other than that directly associated with divorce and child support, such as adoption legislation, foster care, etc. This gains your organization respect and prohibits it from being considered a one-issue group. This approach also helps with your networking.

Long-range goals include orchestrating a revision in the way officials and the legislature perceive your issues. Long-range goals also include getting to know the new, less powerful members of your legislature, because they may become the powerful players in 3 or 4 sessions. Also find out as much as you can about your legislators, especially how many are divorced and whether they have children.

Once you have set your goals, learn to identify your activists. You will find two types, those in for the long haul and those who will drop out as soon as their individual problems are solved. Know who is coming to your meetings. You may find people with special skills your organization can use, such as people trained in advertising, sociologists, professional speakers, printers, business owners, etc. Try to bring custodial and joint custodial fathers into your organization, as well as second wives, custodial mothers, non-custodial mothers, and grandparents.

Know your enemy. Learn who opposes your goals and why. Learn about your opponents organizations and the characteristics of their membership. This will help you devise a strategy for countering them later. Become members of their organizations, get their newsletters, and learn their tactics. This will prevent you from becoming an unwitting victim later.

Network, Network, Network

There are other groups that have goals similar to yours, both national and local. Network with them, communicate with their spokespersons, coordinate your activities, but keep your legislative testimony and appearances separate. Also, groups whose views are somewhat peripheral can also provide support, such as CASA or other foster care or adoptive rights groups. Even if their agenda and yours aren't similar, you may still find that you can help each other.

Create allies by speaking before groups whose members might share your common interests. For divorce issues, Parents Without Partners could prove to be a hot-bed of activists. For child abuse and neglect issues, some of the support groups or parents anonymous can also be helpful. Even educating their members about your views may help your cause later on.

Do research on your issues and develop a database and library. Rely on professional journals and books and build a library of quality books and articles. Your networking will help here and don't forget to conduct your own research if you find a void that needs to be filled.

Develop phone trees and letter writing campaigns. This is a proven method that you can use to flood the legislature and newspapers with phone calls, letters and articles. Be prepared by developing reliable captains. When you see articles on custody, child support, or gender bias in the newspapers, start letters to the editor to voice your views and get those issues in the public domain.

The Middle Distances

Your group has now made contacts, developed goals, done research, and organized a cohesive network. The next

phase is the middle distances. Here you devise your long-term strategy and tactics, learn the legislative process, and develop effective speakers and spokespersons.

Strategy and tactics come from knowing your enemies and allies, your legislature, and the political atmosphere in which you are operating. Tactics should always be clean and professional. This is where you need to rely on professionals you have cultivated during your networking activities. Rely heavily on the professional data you have accumulated in your library and on the testimony of reliable professionals.

Learn the political process. Find out how bills are introduced and how they appear before committees. Most legislatures publish charts showing this process, which can be very helpful. Know the backgrounds of your legislators and others you want to influence. Of prime importance is learning who is an effective legislator and who is not.

Develop effective speakers. You do this the same way a good lawyer prepares a client for trial. Develop speaker guidelines for the issues and have your speakers learn them. Then practice with them so they can experience the "fire" they may expect from a less-than-friendly committee. The Socratic method is the best way to prepare those who will testify on your behalf.

The Long Run

The last efforts, as your organization matures, will be to develop a marketing program and perseverance that will enable your organization to survive and prosper for the long-haul. The development of an effective marketing program is essential at this point. In children's lobbying, as opposed to strict economic self-interest lobbying, you must develop a program to convince your legislature and others that your position is the right one, regardless of the opposition.

Your organization should also seriously consider getting tax-exempt status [501(c)(3) non-profit status], a procedure that is outlined in the NCCR organizational manual. This means that all donations to the organization will be tax deductible for the donor and will help your organization raise money. With this status, be VERY careful about getting involved in political campaigns. You can form a separate PAC for this.

Perseverance is the one thing your organization must have to succeed. You can count on it taking 3-4 legislative sessions to effect major changes. You must change attitudes and your credibility as an organization must be established. When working with the legislature, one of the most important things is being there. Attend numerous committee hearings, be there to answer questions, be there both before and after the session to get to know the people behind the scenes.

Last of all, pace yourself. Rely on your activists to spread the responsibility; assign an individual to one bill or issue and let him or her track that bill or issue. Finally, don't forget that you are in it for the long-haul, you are doing what you are doing to change the system, to help those down the line, to help your own sons or daughters. When your case is over, use your activism to funnel your frustration and energy, not to change your past.

About NCCR

The National Council for Children's Rights (NCCR) is a non-profit [IRS 501(c)3] organization, based in Washington, DC. We are concerned with the healthy development of children of divorced and separated parents. For the child's benefit, we seek means of reducing divorce by strengthening families through divorce and custody reform, minimizing hostilities between parents who are involved in marital disputes, substituting conciliation and mediation for the adversarial approach, assuring a child's access to both parents, and providing equitable child support.

NCCR was founded in 1985 by concerned parents who have more than 40 years collective experience in divorce reform and early childhood education.

Prominent professionals in the fields of religion, law, social work, psychology, child care, education, business and government comprise our Advisory Panel.

For further information about membership, publications, cassettes, Catalog of Resources, and services, write: NCCR, 220 I St. N.E., Washington, DC 20002, or call (202) 547-NCCR (6227).

Our Newsletter, *Speak Out For children*, is published four times a year and is sent free to members. Send letters, comments, and articles for publication to Editor, NCCR.

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